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10 DONALD J. TRUMP

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 STEPHANIE CLIFFORD a.k.a.

14 STORMY DANIELS a.k.a. PEGGY

15 PETERSON, an individual,

16 Plaintiff,

17 v.

18 DONALD J. TRUMP a.k.a. DAVID

19 DENNISON, an individual,

20 ESSENTIAL CONSULTANTS, LLC,

21 a Delaware Limited Liability

22 Company, MICHAEL COHEN, an

23 individual, and DOES 1 through 10,

24 inclusive,

25 Defendants.

Case No. 2:18-cv-02217-SJO-FFM

**DEFENDANT DONALD J. TRUMP'S
EVIDENTIARY OBJECTIONS TO
DECLARATION OF MICHAEL J.
AVENATTI IN SUPPORT OF
OPPOSITION TO MOTION TO
DISMISS**

Assigned for All Purposes to the
Hon. S. James Otero

Action Filed: March 6, 2018

Defendant Donald J. Trump objects to the Declaration of Michael J. Avenatti [ECF No. 89-1] as follows:

	Citation	Objection	Ruling
1.	Exhibit B	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
2.	Exhibit D	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
3.	Paragraph 6: “On March 31, 2018, during the Local Rule 7-3 meet and confer conference regarding the Motion to Compel Arbitration, I asked Defendant Donald Trump’s counsel, Mr. Charles Harder, whether Mr. Trump was a party to the purported settlement agreement with my client, Ms. Clifford. Mr. Harder evaded my question and would not provide a straight answer, ultimately responding that ‘we haven’t done the research.’”	Relevance. Fed. R. Evid. 401, 402, 403. Argumentative. Fed. R. Evid. 701. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
4.	Exhibit H	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
5.	Exhibit I	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
6.	Exhibit J	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
7.	Exhibit K	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____

1	8.	Exhibit L	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
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3	9.	Exhibit M	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
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5	10.	Exhibit N	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802. Foundation, authentication Fed R. Evid. 602, 901.	Sustained: _____ Overruled: _____
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8	11.	Exhibit O	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
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10	12.	Exhibit P	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802. Foundation, authentication Fed R. Evid. 602, 901.	Sustained: _____ Overruled: _____
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14	13.	Paragraph 16: “On May 16, 2018, Mr. Trump made another factual statement concerning his knowledge about the payment to Plaintiff, this time in a signed disclosure made to the United States Office of Government Ethics entitled ‘Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e).’ A true and correct copy of excerpts of this report is attached hereto as Exhibit Q.”	Mr. Avenatti’s statement: Relevance. Fed. R. Evid. 401, 402, 403. Argumentative. Fed R. Evid. 701. Exhibit Q: Relevance. Fed. R. Evid. 401, 402, 403.	Sustained: _____ Overruled: _____
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26	14.	Exhibit T	Relevance. Fed. R. Evid. 401, 402, 403. Hearsay. Fed. R. Evid. 801, 802.	Sustained: _____ Overruled: _____
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1	15.	Exhibit U	Relevance. Fed. R. Evid.	Sustained: _____
2			401, 402, 403. Hearsay.	Overruled: _____
3			Fed. R. Evid. 801, 802.	

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5 Dated: November 7, 2018

HARDER LLP

6 By: /s/ Charles J. Harder

7 CHARLES J. HARDER

8 Attorneys for Defendant

9 DONALD J. TRUMP